



## Lamoine Board of Selectmen

606 Douglas Hwy  
Lamoine, ME 04605  
(207) 667-2242  
town@lamoine-me.gov

### Minutes of September 3, 2009

Chair Jo Cooper called the meeting to order at 7:02 PM

Present were: Selectmen Kermit Theall, S. Josephine Cooper, Gary McFarland, Richard Fennelly Jr., Cynthia Donaldson (arrived 7:07 PM); Administrative Assistant Stu Marckoon, Kathleen DeFusco, Janet Toth (City of Ellsworth), Michael Jordan (Road Commissioner), Jennifer Reynolds (Shellfishing Cmte), Roxanne Jobe (EMDC), Robert Merchant (Frenchman Bay Riders Snowmobile Club), William Fennelly (Frenchman Bay Riders Snowmobile Club) and Paul Davis (Shellfishing Cmte).

**Agenda Review**- No changes were proposed

**Minutes of August 6, 2009** – Selectmen opted to take no action on the minutes in order to have more time to review them.

**Expenditure Warrant 4** – There were no questions about this warrant which Selectmen signed separately between meetings. The warrant totaled \$14,783.90.

**Expenditure Warrant 5** – Selectmen signed warrant 5 for \$202,656.47. Stu reported the August RSU check is included, and there is enough money in the account as of today to cover that \$175,000+. He noted the homestead reimbursement was received from the State of Maine a couple of days ago.

**Cash & Budget Report** – Richard noted that the road assistance amount was not reported. Stu said he would check it.

**Tax Commitment** – Stu reported the tax commitment was completed by the Board of Assessors on August 17<sup>th</sup> and the mil rate set at 9.7 mills. Richard asked how much higher the commitment was than the previous year. Stu said he didn't have that information right off the top of his head. There was a brief discussion about how receptive the Assessors would be to completing the commitment earlier.

**Meeting regarding business development** – The Board introduced themselves to Janet Toth, the Community Development director for the City of Ellsworth and Roxanne Jobe of Eastern Maine Development Corporation (EMDC). Jo said the Board had set a goal of looking at growth issues and business development. She said there was frustration about the difficulties of locating a business in town. She said the board is asking how business development can be promoted that is beneficial to the tax base and doesn't detract from the town. Richard said he would like to think about not detracting from the rural nature of the town, and develop business in an area that is not immediately observable. He said Lamoine is attached to Ellsworth, but development is going down Routes 1 and 3 and bypassing Lamoine. He suggested that rezoning the area between Douglas Highway and Buttermilk Road which is near Wal-Mart. He said some new infrastructure might be required, and that area would minimize the visual impact.

Ms. Toth said she was a banker before she was the business development person at EMDC, then she took the job with the City of Ellsworth, just as the economy went sour. She said Ms. Jobe is her replacement at EMDC. She said she chose to work for Ellsworth when she saw the city had a vision and a strategy beyond its comprehensive plan, and they've looked for a draw and analyzed which businesses to try to bring in.

Ms. Toth said she looked at Lamoine, and has some suggestions. She said taxes are high. She said she looked at the comprehensive plan and there is good information but much of it is outdated. She said this is a census year which will help bring that up to date. She asked if the town had a census of current businesses. She said telecommuters bring in good money and are good taxpayers, and a broadband upgrade might be in order.

Ms. Toth said the Hancock County Planning Commission is one resource that could do a feasibility study, but that could be costly. She said EMDC has a GIS person as well as a community development person. She said her first suggestion is to look at what Lamoine already has for business. She said there were challenges to the industrial parks in Ellsworth and it took a while to fill them with the right kinds of business. She said Lamoine's Comprehensive Plan focuses a lot on tourism related issues. She said the town really needs to think about what it has. She said the goal should not result in someone being put out of business. She said a similar exercise was done in Ellsworth, and the goal was to sustain the existing businesses first, then grow the community.

Ms. Toth said after the town figures out what it has; the next step is to ask what the dream is. She said an organization called Main Street Maine might help. She noted the town has different villages, and it could look at other towns that have similar situations. She said it would be worth the time to do the research. She said Downeast RC&D in Cherryfield is another resource. She said the director retired in July and the operation might be moving to Machias. She touched on the shellfishing effort as an example of finding out what the town has for business and reaching out to those businesses.

Ms. Toth says once the town figures out what it has and what the dream is; the question becomes how to fund economic development. She said regional thinking should come into play. She said Ellsworth knows it is the retail center with a population of 7,000 but a pull rate of 28,000 people a day. She said developers have been calling Ellsworth a regional hub with a pull rate of 64,000 people a day. She said Lamoine has housing opportunities. She said there are very nice houses in town, and it might be that showing Lamoine as a bedroom community that offers housing might be beneficial.

Ms. Toth said this is the first time she's reached out to another community in her position in Ellsworth. She said when she worked for EMDC she helped the Town of Hancock with Crobb Box and the Town of Trenton with Morris Yachts. She said Ellsworth wants to be helpful, and if it knows what Lamoine is thinking, that will help. She said Ellsworth could be part of Lamoine's progression.

Ms. Toth said the 7-towns working together on a shellfish harvesting program are extraordinary. She said the industry was asking for that to happen, and it could be a base for building on regional thinking. She said federal money is easier to get as a region. There was a lengthy explanation and discussion about shellfishing efforts in Downeast Maine. Ms. Toth suggested reading the book "Lobster Gangs of Maine".

Ms. Toth said EMDC performs a community economic development strategy every 5 years, and that consists of outreach in each county. She explained how the process used to work and said it was flawed. She said a new process called Mobilize Maine bases the strategy on local assets and that will be the conduit for federal assistance.

Ms. Toth said the snowmobile club is a possible asset. She talked about the rails to trails opportunity. She said there are roundtable discussions with various groups once a month and that could help working with someone who wants to start a business.

Ms. Toth talked about broadband opportunities through a company called Axiom which is based in Washington County. She said they would be willing to talk to the town about a broadband grant through ConnectME. She said Axiom is interested in bringing its service to this area. Stu said broadband capability is the biggest request the town office receives.

Roxanne Jobe said she just got hooked up to broadband at her home, and it's a concern. She said people decide where to live based on broadband availability. She said if the town is interested in the Mobilize Main program it could get on the e-mail list. She said it's a different way to look at economic development. She said businesses are not aware of what local resources exist.

Ms. Jobe asked if there has been any town wide meeting about development. Jo said the Board is just beginning to look economic development. She said the seed was planted at a goal setting meeting. She said she's had feedback that there is a lot of support for the goal. She said maybe the town could start by sitting down with businesses and discuss development in a non-threatening way. She said there is a pretty broad base of interests around town. Cynthia noted that we don't have any idea on who is here. She said the businesses are not on one piece of paper. Ms. Jobe said there are planning grants, most notably the Community Development Block Grant, and resources can be put together.

Jo asked how to start and whether it should be through Mobilize Maine. Ms. Toth said yes. Jo said she was interested in getting help to do that. She said an outside facilitator would be needed for the business meeting. She said she loves the idea of gathering what the assets of the town are and that could help with a business direction. She said looking locally for help is always appealing. There was a discussion about newsletters, e-mail and surveys.

Jo asked about re-zoning. She said the development zone seemed to be arbitrarily located. She asked whether the zoning needs to be in place before starting a business development effort. Ms. Toth said it doesn't have to be but if a business park is the way

to proceed, it might be wise. She said the town might explore Tax Increment Financing (TIF) Districts, and a short discussion followed.

Jo asked what type of business might be attracted to Lamoine, given its close proximity to Ellsworth. Richard said a retirement community might fit well. He said he wasn't sure what kind of tax revenue that might generate. A short discussion followed. Richard said a professional services park might also work. Ms. Toth said the more homework the town does the easier it will be for business to locate here. Richard said it might be friendlier to business if some parts of town were rezoned. He said the ordinances seem to discourage development, and that makes it tricky for a business that might want to locate here. He said with the proper zone, at least there would be a footprint of an area in which to locate.

Jo said she would like to be on the Mobilize Maine list, and she would like to continue to be in touch with the City of Ellsworth and EMDC. Ms. Jobe said EMDC could provide a facilitator for a meeting. Richard asked if the City of Ellsworth would consider running water and sewer beyond the city boundary. A short discussion followed – Ms. Toth said it is likely a long way off. Jo noted the town doesn't own any land in the area between Buttermilk Road and Douglas Highway.

Gary asked if there are any grants for small towns to purchase land for development. Ms. Toth said she could check the CDBG possibilities. Ms. Jobe asked when the last survey of the town was taken. Jo said the Long Term Planning Committee had done one a few years ago. A short discussion followed about surveys and other communities. Ms. Toth noted the Maine Rural Development Authority has loan money available.

**Meeting with Frenchman Bay Riders Snowmobile Club** – Stu summarized the previous meeting where the club inquired about expanding the parking area. Kermit noted there does not appear to be any agreement in writing between the snowmobile club and the town in regard to placement of the clubhouse on the town owned land. Jo read a letter from town attorney Tony Beardsley in regard to the issues discussed at the previous meeting. She said it would be in the best interest of the Snowmobile Club to have an agreement with the town.

Robert Merchant said that is why he was present. Jo said the Selectmen could give the go ahead for the club to apply for the parking lot and go before the Planning Board. Richard said the agreement could be a use agreement. Kermit said once an agreement is formalized, it would appear the snowmobile club could move forward with the application for parking expansion. Mr. Merchant said he thought there was a formal agreement reached many years ago. Jo said she didn't think there would be any opposition to reaching a written agreement.

William Fennelly asked whether it would be feasible to go to town meeting and ask the town to give the land to the snowmobile club. Stu said he doubted there would be much support for giving away an \$80,000 piece of land. A short discussion followed.

Mr. Merchant said when the Parks Commission held their fishing derby event, parking was a nightmare. He said he'd like to see the event kept going. Cynthia said this should be done as soon as possible. There was a brief discussion about the Planning Board process. Mr. Merchant said he would look for paperwork from the past. Stu said he would check the town office for any agreements.

**School Survey** – Jo moved to accept the offer from Herrick and Salsbury to do the survey work on the firehouse lot for \$960. Richard 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Pest Control** – Selectmen discussed two options for pest control service from Modern Pest. Kermit moved to accept option 2 (a one time treatment). Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Planning Board Appointment** – Jo moved to appoint Donald Bamman as an alternate member of the Planning Board. Cynthia 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Park Kiosks** – Stu reported the kiosks are under construction and might be installed this fall. He said only two kiosks will be constructed, and there were some unforeseen costs with the sign makers.

**Shellfishing Committee** – Stu reported that Jim Norris had approached him earlier in the day asking that a Selectman be assigned to the committee to represent the town at regional meetings. Richard said he would participate, but might not be available for all meetings.

Paul Davis said the City of Ellsworth has been very helpful in the regional effort. He said the regional group met earlier in the day and finished up the ordinance. He said a Selectman need to represent the town. Richard asked which towns are participating. Mr. Davis said Trenton, Franklin, Hancock, Sullivan, Ellsworth, Lamoine and possibly Sorrento. He said a lot of footwork is being done. Richard asked what enforcement options are likely. Mr. Davis said Joe Parada is working on that. A short discussion followed.

Mr. Davis said there are 8 or 9 really passionate people working on the agreement, and it's falling into place. Gary asked if a standardized ordinance would be proposed to each municipality. Mr. Davis said it would, and they're trying to keep it simple. He said the State Department of Marine Resources was working with the group. He said he would be in touch with Richard in regard to future meetings.

Mr. Davis said they're trying to work with the other towns. He said Sullivan is solidly on board. He said he's been trying for 7-years to have this happen. He said the flats in this area always seem to come back. He said if the towns pull this off, it will be unbelievable. He said the area has very healthy flats. He said this has been the best year in a while, but the worst year for outsiders coming in.

**Lease of Map 1 Lot 57** – Jennifer Reynolds said she had no idea how well her proposed retail seafood business might go. She said she's thinking about months of

operation, either July and August or May through September. She said she wasn't sure how to go about the lease process, whether the lease should be a set amount, or a percentage of income. Jo asked if this would encompass the entire lot. Ms. Reynolds said the lot is 1-point-9 acres and she plans just to use the open area, and would not be using the garage, just the turn around driveway area. She said she attended the Planning Board meeting earlier in the week, and the Board advised her to work with the Code Enforcement Officer. She said she hopes to open next May 1<sup>st</sup>.

Jo said anything at all on the property is more than the town is generating for income presently. She said she's not interested in a percentage of income, and would prefer to keep the lease amount small. Kermit said it might be good to enter into a month-to-month agreement in case the business doesn't generate much income. There was a discussion about how much potential property tax would be generated if the land were not municipally owned. (Stu said it would be about \$400). After much discussion, Cynthia moved to set the lease at \$100 for the first season. Richard 2<sup>nd</sup>. **Vote in favor was 5-0.** Discussion followed about the lease wording. Cynthia noted the amount is about a quarter of the potential property tax.

Ms. Reynolds asked about leaving her building there during hours it is closed. Stu said that would make a lot of sense, as it would lessen damage to the property. Ms. Reynolds explained the proposed configuration of the building. She asked about signs and was advised to meet with the Code Enforcement Officer about that. There was discussion about the entrance and visibility and tidying up around the area. Kathy DeFusco asked if there would be any interference with the two beautiful maple trees on the lot. Ms. Reynolds said she loves those trees and does not plan to do anything with them. A short discussion followed.

Ms. Reynolds said she would need electricity and asked whether the entrance box and meter could be placed on the garage. Selectmen said that could be addressed in the lease agreement. Ms. Reynolds asked about using the septic system for gray water. She said she's applying for an extended retail license and plans to purchase lobsters, clams and mussels directly from harvesters. She said there might be other retail products such as bottled water offered. Stu said he would draft up a lease and hoped to have it ready to finalize by the October 1, 2009 meeting.

**Sculpture Update** – Cynthia handed out invitations to the Schoodic Sculpture Symposium closing ceremony set for September 12, 2009. She said the committee has raised the money needed for the sculpture. She said there was a blueberry social that was not as well attended as they had hoped, but those who were there had a good time. She said the sculptor was there and explained the event. She said the sculpture will be installed in November, and there will be a party next spring or summer. There was a short discussion about music for the party.

**Road Commissioner Job Description / Contract assignment policy** – At the request of Road Commissioner Michael Jordan, the matter was put off until a future meeting.

**Road Matters** – Stu outlined a memo he had drawn up on various road issues, including state maintained roads. Selectmen requested to see if a meeting could be arranged between Maine DOT, the Selectmen, and Nankervis Trucking.

**Meeting with Code Enforcement Officer** – Selectmen set the regular meeting of September 17, 2009 to meet with CEO Ford and the Planning Board to discuss issues of concern.

**Fire Truck Sale** – Stu reported that truck 405 (the 1986 Chevy Pickup) has been sold to the Dennysville Fire Department for \$7,500. He said he expects the check soon; the truck was delivered the previous day.

**Cable TV Snafu** – Stu reported that he forgot to unscheduled a live program on Wednesday night from the previous week, and as a result the Assessors meeting the night was televised live without the Board of Assessors knowledge. There was discussion about installing an on-air light or a monitor in the meeting room so folks know when they are on live.

**Maine Community Foundation/Scholarship** – Stu reported that Leurene Hodgkins had left \$400,000 to be used for scholarships for Lamoine students in college. He said Maine Community Foundation asked whether the Selectmen wished to administer the fund. Jo moved to do so, Kermit 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Meals for ME Request** – Jo said she was interested last year in a possible location for a Meals for ME site in Lamoine, and it got lost in the shuffle. She said someone from Eastern Area Agency on Aging has been assigned to that task. Stu said the requirements limit the possible facilities. Jo said the church might be one possibility. Gary said there are other issues with the church, but it could be discussed. Jo offered to be the liaison, and there was no opposition.

**Census** – Stu reported the census 2010 material is coming to the town hall addressed to Jo. He asked who should be processing that. Jo said she'd be happy to have Stu do it.

**Next Meeting** – The next regular meeting of the Board will be September 17, 2009. Richard is not able to attend, and Cynthia said she's not sure if she will be here or not.

**Executive Session** – Kermit moved to enter executive session pursuant to 1-MRSA §405(6)(a) to discuss a personnel matter. Jo 2<sup>nd</sup>. **Vote in favor was 5-0 at 9:28 PM. Out at 9:34 PM.**

There being no further business, the meeting adjourned at 9:34 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen.